



# *Combined Drug and Alcohol Use in Drivers Suspected of Vehicular Assault and Homicide.*

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# Alcohol and Traffic Fatalities 2004

## National FARS data:

- Alcohol is involved in 7% of all crashes, and 39% of fatal crashes.
- 16,694 people killed in alcohol related traffic crashes.
- In 86% of these cases one or more drivers had BAC  $>0.08\%$



# Alcohol and Traffic Fatalities 2004

## WA FARS data:

- Alcohol is involved in 44% of fatal crashes.
- In 57% of these cases the driver's blood alcohol level is greater than 0.08%.
- The surviving driver is tested for alcohol only 22% of the time.
- ...and tested for drugs only 8% of the time.



# Systems for DUI interdiction

- SFST Training
- DataMaster certification
- Traffic details
- DUI squads
- Emphasis patrols
- DRE program
- Toxicology testing
- Public education



# When things go wrong....

☠ **Tacoma officer dies in crash: Motorcycle cop heading to high-risk traffic stop with lights, siren on when car turns left in front of him**

☠ **The News Tribune.** Tacoma, WA.: Apr 28, 2004.

☠ “A line of cars headed south on Alaska stopped in the street just before 55th as Lewis approached, and the officer swung his motorcycle into the northbound lanes to pass them. That's when a woman driving a gold Saturn two-door near the head of the line tried to turn left off Alaska onto 55th. She unknowingly steered her car right into Lewis' path, witnesses and police said.”

# When things go wrong....

☠ Officer on scene notes no obvious impairment

☠ Driver gets no SFSTs

☠ No DRE evaluation

☠ Gets “voluntary” blood draw

☠ THC 2ng/mL

☠ Carboxy-THC 30ng/mL





# When things go wrong....

*“Late yesterday after 3+ hours of deliberation, the .. jury found the defendant not guilty of all charges (DUI, and two counts of reckless endangerment). As expected, the initial officer's failure to observe any marijuana symptoms weighed on the jury. Basically, I think the jury just could not reconcile the officer's statement that he observed no indication of alcohol or drug usage in the defendant immediately after the crash with the blood test results clearly showing marijuana and impairment.”*

# When things go wrong...

- **School-bus driver charged in death; allegedly took drugs**
- *Seattle Times February 28<sup>th</sup> 2004*
- A 42-year-old woman was high on morphine when she drove a school bus that struck and killed a 13-year-old student in December, Pierce County police and prosecutors say in charges filed yesterday.



# When things go wrong...

- Subject seemed “upset”
- No SFSTs administered
- No DRE called
- “voluntary” blood draw.
- Toxicology
  - ☠ Morphine 0.13mg/L
  - ☠ Bupropion
  - ☠ Bupropion metabolites

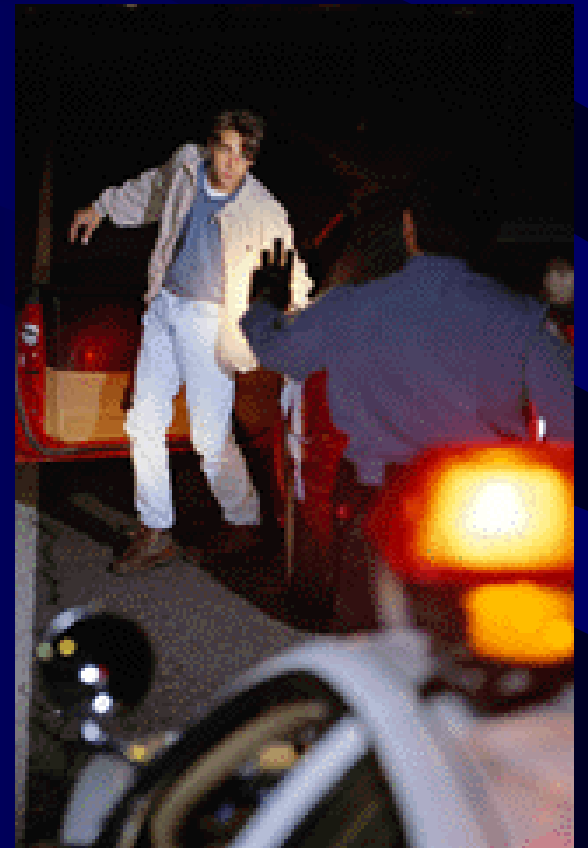


# When things go wrong

- **Tacoma bus driver not guilty in teenager's death**
- A school-bus driver has been found not guilty of vehicular homicide in the 2003 death of a 13-year-old boy. Prosecutors said (the defendant) was under the influence of morphine...
- (The defendant's) attorneys argued that she had built up a tolerance to the drugs, prescribed to manage pain from a degenerative disease.
- (The Victims) family has sued the school district for \$10 million for negligence.

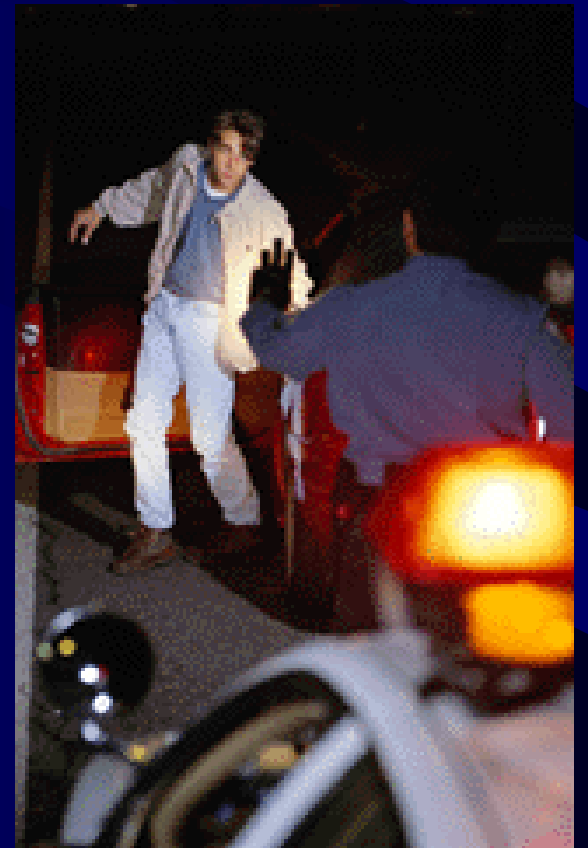
# Is DUID a Significant Public Safety Issue?

- DUI and DRE arrest stats
- Fatally injured drivers
- Commercial vehicle enforcement
- Vehicular assault and homicide suspects



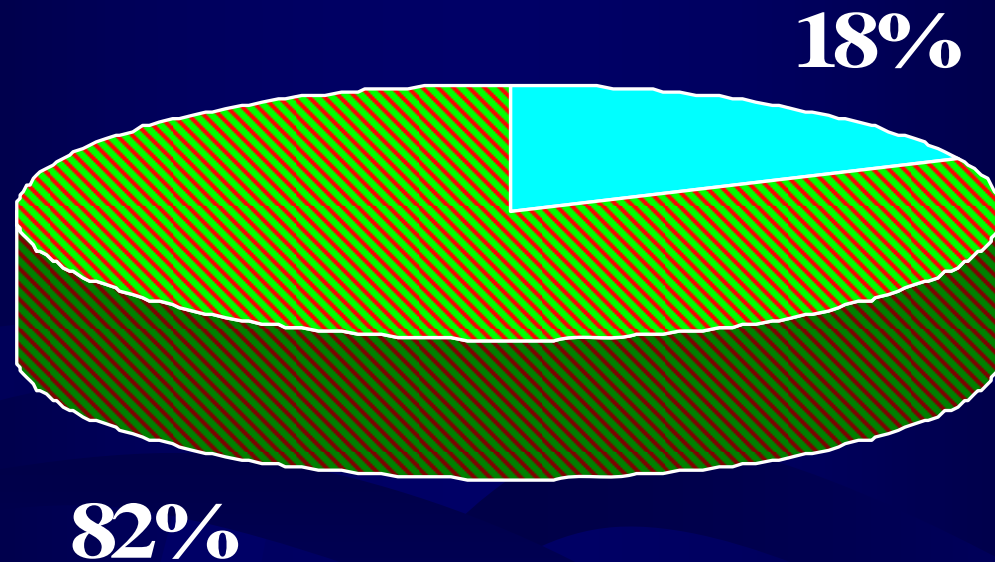
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# Felony Collisions

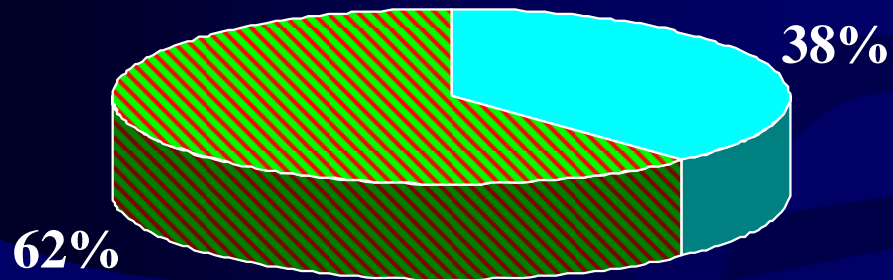
(2002-2003, n=700)



■ No Alcohol or Drugs

■ Alcohol and/or Drugs

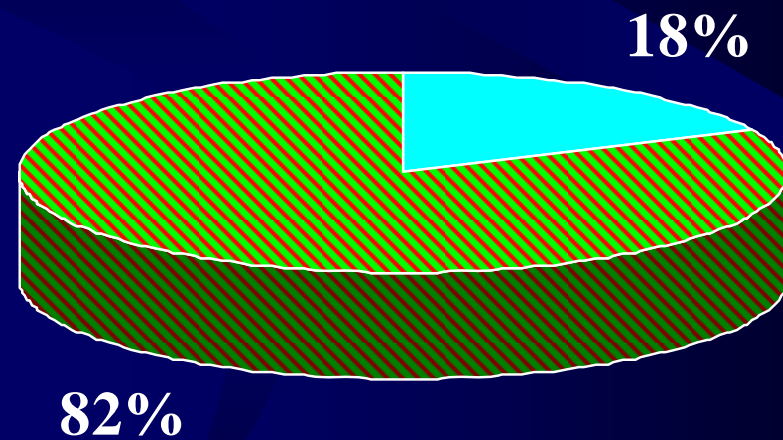
# Alcohol and Drug Use



•Fatally injured drivers

■ No Alcohol or Drugs  
■ Alcohol and/or Drugs

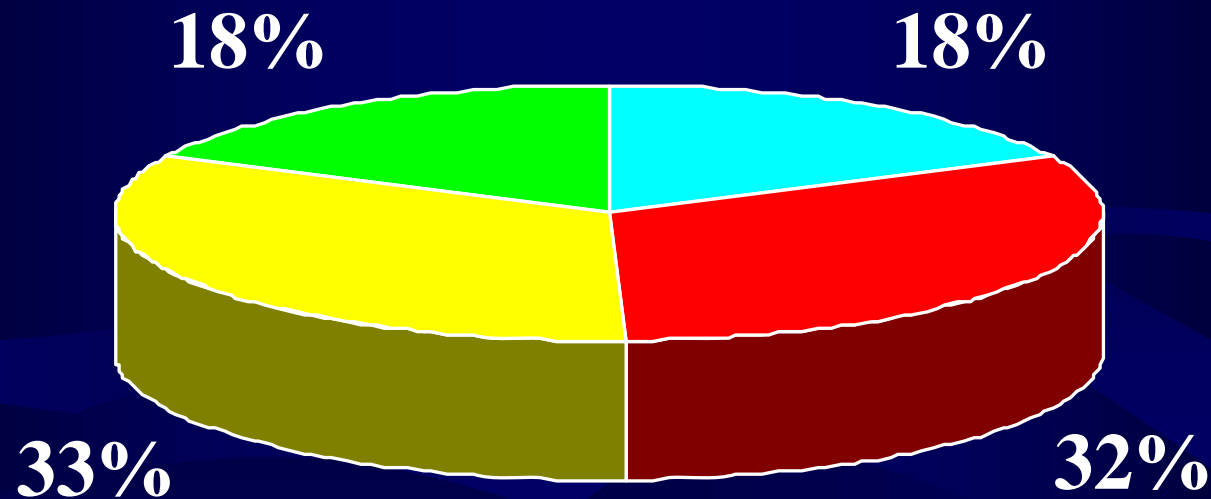
•Felony collision suspects





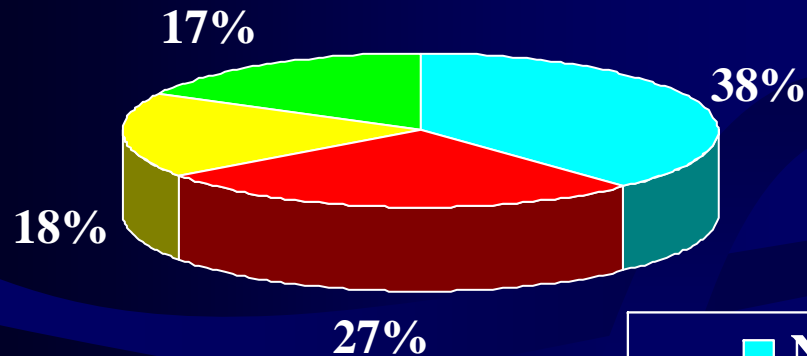
# Felony Collisions

(2002-2003 n=700)



- No Alcohol or Drugs - 18%
- Alcohol only - 32%
- Alcohol and Drugs - 33%
- Drugs Only - 18%

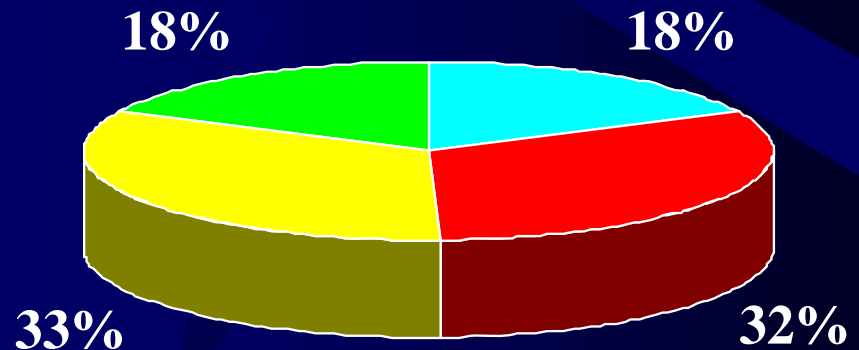
# Combined Alcohol and Drug Use



•Fatally injured drivers

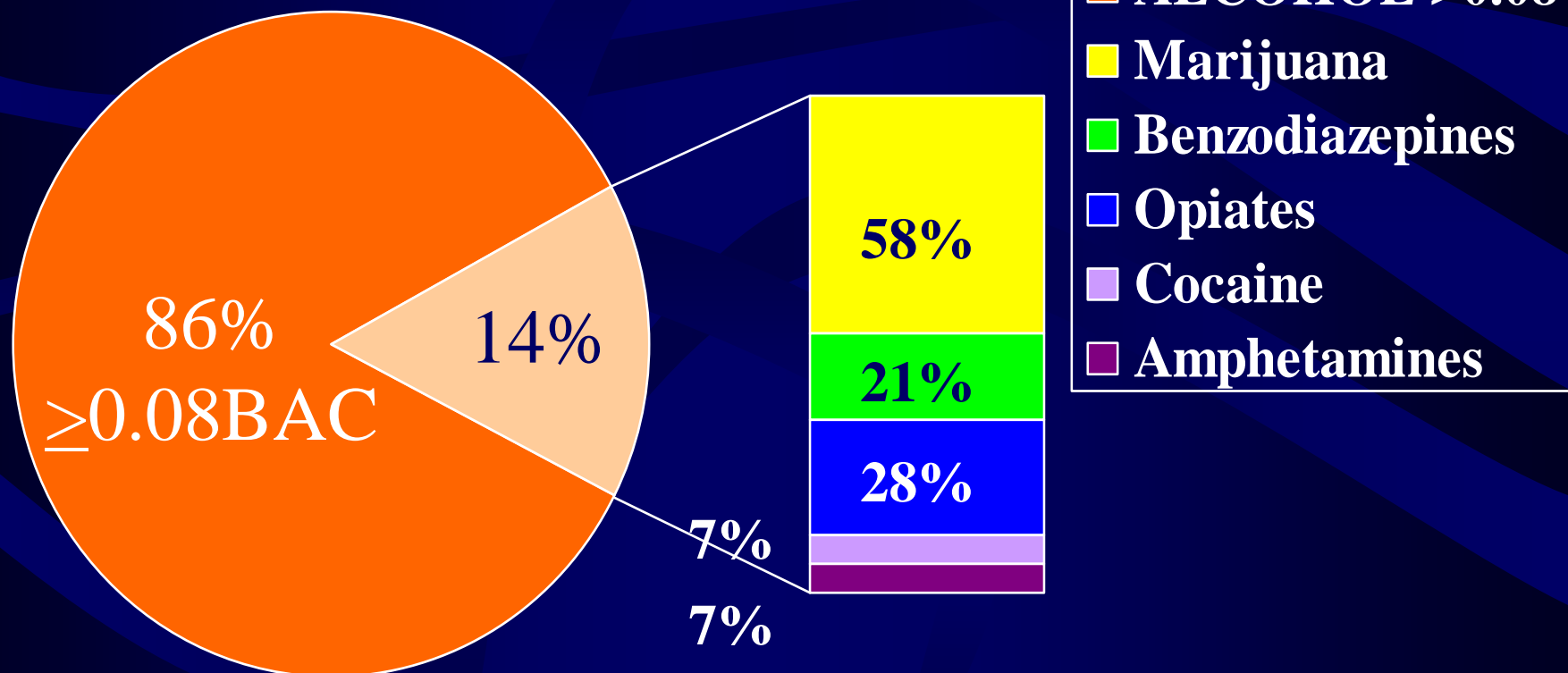
■ No Alcohol or Drugs  
■ Alcohol Only  
■ Alcohol and Drugs  
■ Drugs Only

•Felony collision suspects



# Felony Collisions – Drug use by BAC

- 458 drivers had alcohol on board
- 66 (14%) had BAC <0.08
- 43 of the 66 (65%) were drug positive

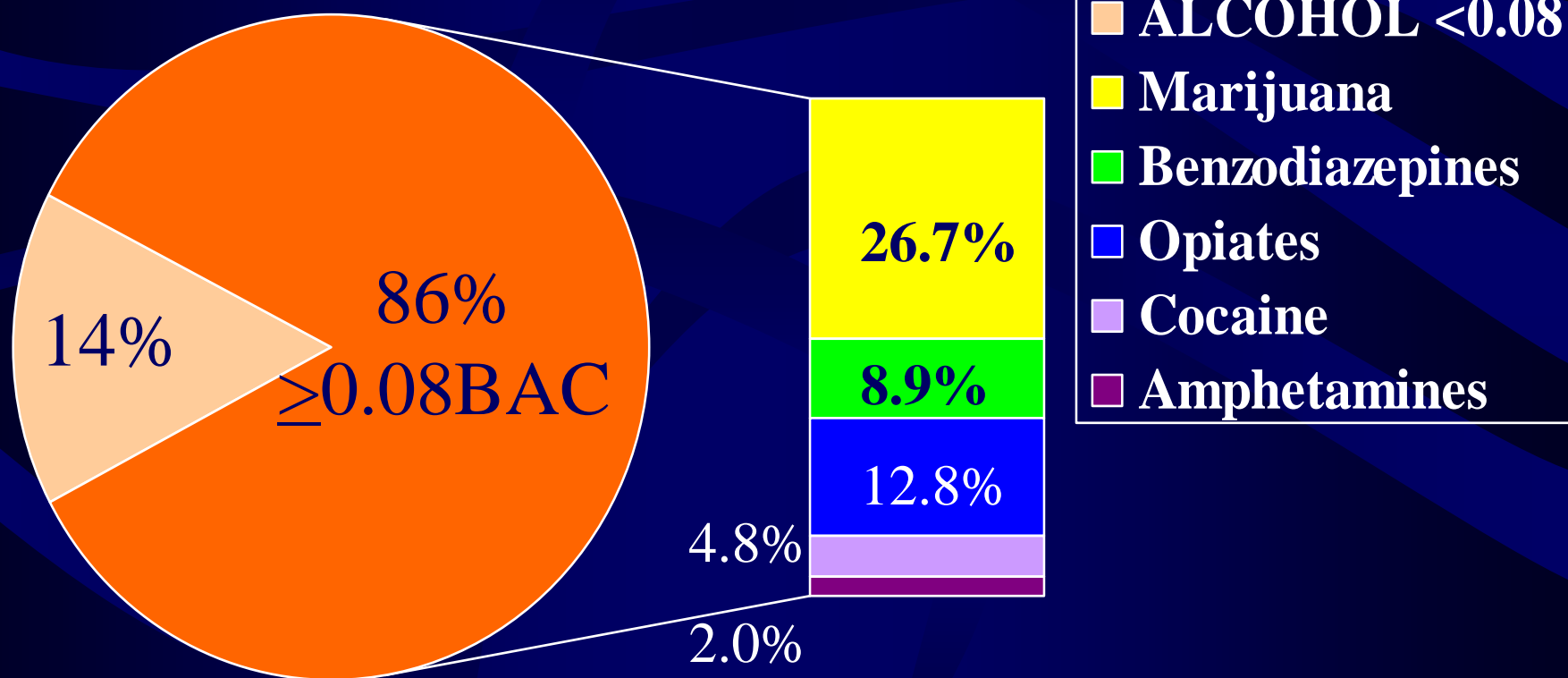


# Conclusions

- ☠ About 65% of drivers in vehicular homicides and assaults with blood alcohol 0.01 - 0.08g/100mL, have impairing drugs on board.
- ☠ When impairment doesn't match the BAC - think about other drugs.
- ☠ Synergistic drug effects can produce marked symptoms even with low BAC.
- ☠ Predominantly drugs of abuse.

# Felony Collisions – Drug use by BAC

- 458 drivers (65%) had alcohol on board
- 392 (86%) had BAC  $\geq 0.08$
- 192 of the 392 (49%) had drugs present also.



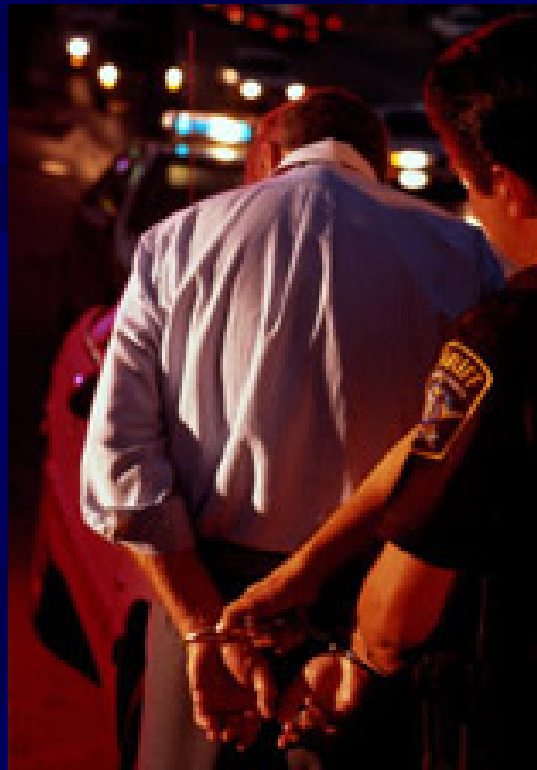
# Conclusions

- ☠ About 49% of drivers in vehicular homicides and assaults with blood alcohol greater than 0.08, have impairing drugs on board.
- ☠ The investigation usually stops with BAC >0.08%.
- ☠ Polysubstance use is the norm, rather than the exception.
- ☠ Comprehensive toxicology is needed



## So What...?

- So what about the other 40,000 DUI arrests?



# So What?

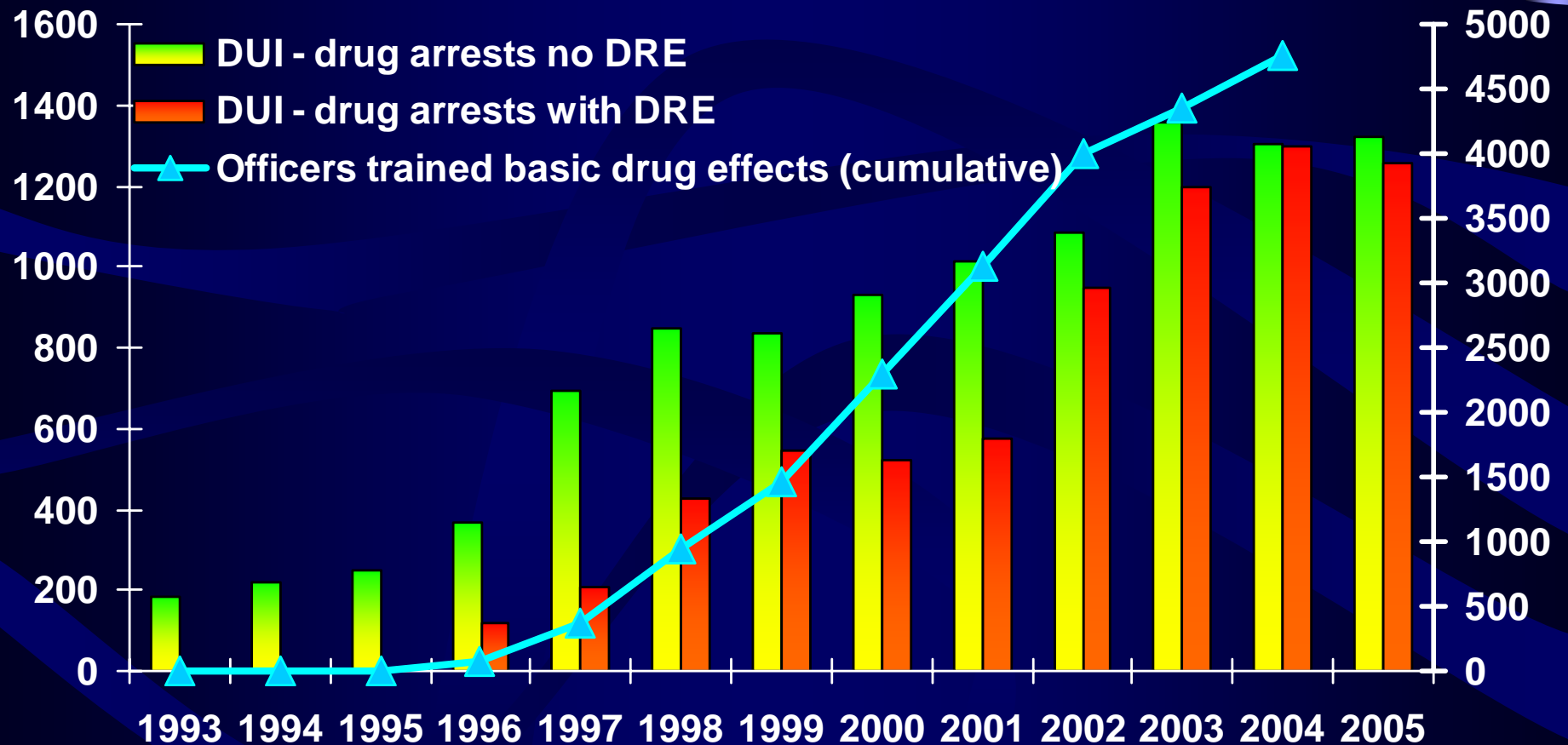
- Enforcement

- Equip officers to detect drug involvement.

- NHTSA clues for nighttime DUIs
    - SFST training and certification ... and use
    - “Drugs that Impair” training.
    - DRE program support.

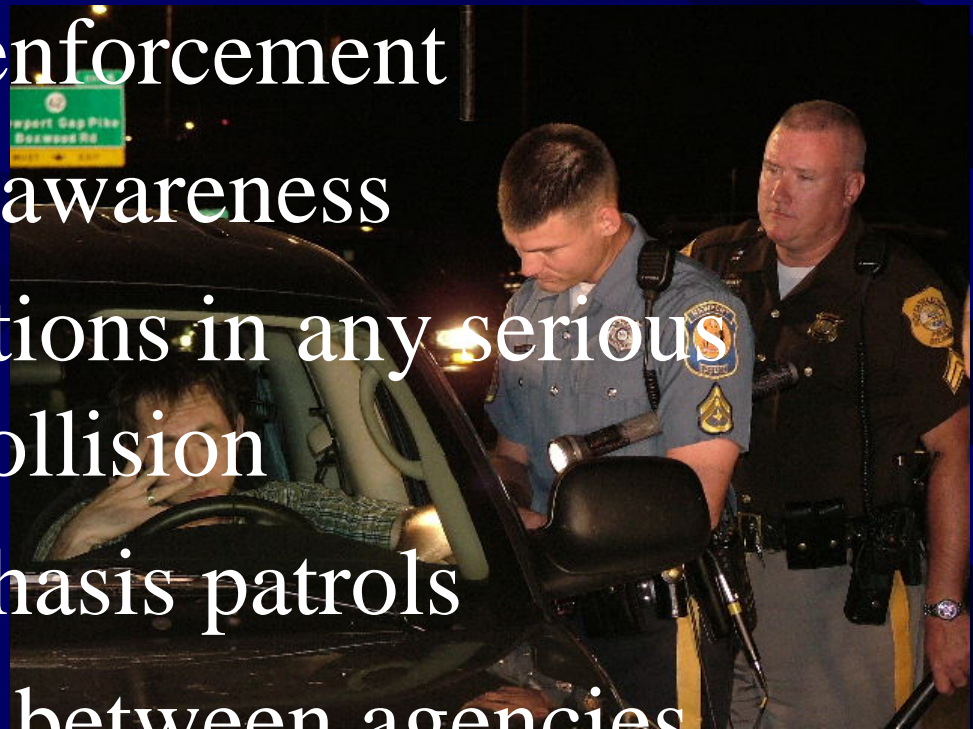


# Getting value from the DRE program



# So What?

- Create an Environment Where Offenders Should Expect to be Caught
- High visibility enforcement
- Promote DUID awareness
- Conduct evaluations in any serious injury/fatality collision
- Encourage emphasis patrols
- Share resources between agencies



# The Future...

- Stick with the program.
- Target preventative message to offender groups.
- Ensure drivers get an assessment for drug use, and treatment as appropriate.
- Investigate “per se” language for schedule I and II controlled substances.